

**Meeting Minutes**  
**Meeting of November 17, 2011**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, November 17, 2011, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Robin Stein at 1:20 p.m.

**Council Members Present:**

Robert Stein  
Chairman  
Colin Tait  
Vice Chairman  
Edward S. Wilensky  
Daniel P. Lynch, Jr.

Philip T. Ashton  
James J. Murphy, Jr.  
Barbara Currier Bell  
Brian Golembiewski  
(designee for Commissioner Esty)

**Council Members Absent:**

Larry Levesque  
(designee for Chairman DeGobbo)

**Staff Members Present:**

Linda Roberts  
Executive Director  
Melanie Bachman  
Staff Attorney  
Christina Walsh  
Siting Analyst Supervisor

Robert Mercier  
Siting Analyst  
David Martin  
Siting Analyst

**Staff Members Absent:**

Michael Perrone  
Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of November 3, 2011.**

Mr. Ashton moved to approve the minutes of November 3, 2011, seconded by Dr. Bell. The motion passed with Mr. Lynch abstaining.

**DOCKET NO. 407 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 77-145 Pleasant Point Road, Branford, Connecticut. Request for a Continuance.**

Mr. Murphy moved to approve the Request for Continuance and suggested that T-Mobile notify the Council when they are ready to proceed with a hearing. The motion was seconded by Mr. Ashton. The motion passed unanimously.

**DOCKET NO. 415 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 87 West Quasset Road, Woodstock, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 983 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Development and Management Plan.**

This item was passed temporarily.

**PETITION NO. 984 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut. Development and Management Plan.**

This item was passed temporarily.

**PETITION NO. 1009 - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a 85-foot steel pole and associated radio communications equipment located at Rapids Road, Stamford, Connecticut.**

Mr. Murphy moved to table this item and to have petitioner send a new notification letter with a deadline of December 15, 2011, as a deadline for response and to set January 19, 2012 as the new date for decision. The motion was seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1010 - New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of an concealed tower on a water tank and associated equipment at a water treatment water plant located at 455 Valley Road, Greenwich, Connecticut. Set Date for Decision.**

Mr. Wilensky moved to set April 2, 2012, as the date by which the Council shall make a decision on this petition, seconded by Dr. Bell. The motion passed unanimously

**PETITION NO. 1011 - MetroPCS New York, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the attachment of antennas to an existing CL&P structure located at 750 Chapel Road, Stratford, Connecticut. Decision.**

Mr. Ashton moved to remove this item from the table, seconded by Dr. Bell. The motion passed unanimously.

Dr. Bell moved to approve this petition, seconded by Mr. Tait. The motion passed unanimously.

**TS-CING-018-111011 - New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an existing telecommunications facility located Carmen Hill Road, Brookfield, Connecticut.**

Mr. Ashton moved to remove this item from the table, seconded by Mr. Tait. The motion passed unanimously.

Mr. Tait moved to approve this tower share request with the following conditions:

- The tower be brought to conform to the requirements of Revision G of TIA/EIA-222, Structural Standards for Steel Antenna Towers and Antenna Supporting Structures certified by a professional engineer licensed in the State of Connecticut; and
- Prior to antenna installation, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the recommended bolt replacements have been completed and the tower and foundation will not exceed 100 percent of the post-construction structural rating.

The motion was seconded by Mr. Golembiewski. The motion passed with Mr. Lynch voting no.

**Impact of Hurricane Irene on Wireless Communications Service. Motion for Protective Order.**

Mr. Ashton moved to deny the Motion for Protective Order with a deadline to respond of December 15, 2011, seconded by Mr. Murphy. The motion passed unanimously.

**The Council took a brief recess at 1:50 p.m. and resumed at 2:05 p.m. Council Members Mr. Lynch and Mr. Tait were not present when the meeting resumed.**

**PETITION NO. 983 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Development and Management Plan.**

Mr. Wilensky moved to remove this item from the table, seconded by Dr. Bell.

Mr. Wilensky moved to approve the Development and Management Plan with the following conditions:

- BNE shall formalize the conservation plan in accordance with C.G.S. Chapter 822 Easements and Restrictions, within 90 days of the date of the D&M decision letter. A copy shall be provided to the Council and shall be reviewed and approved by staff. Any request for an extension shall be submitted to the Council in writing for approval. The formal conservation easement shall remove horseback riding, mountain biking, and timber harvesting as permitted uses;
- BNE shall conduct a pre-construction infrastructure survey with Town representatives within 30-days of the date of the D&M decision letter. Additionally, BNE shall provide details of the continuous monitoring of Town infrastructure and associated reporting during construction. No construction, other than clearing, may begin until the pre-construction survey is complete. BNE shall place \$10,000 in escrow for the Town;
- BNE shall allow Town officials access to the site for inspection of E&S controls with any resulting recommendations to be considered by the on-site contractor and BNE's Environmental Inspector;
- BNE shall submit a revised Stormwater Management Plan, as required by DEEP permitting requirements, if applicable;
- BNE shall submit a plan detailing the ice safety/mitigation fence delineation and locations and examples of warning signs, within 30-days of the date of the D&M decision letter;
- BNE shall submit the final foundation design plans prior to installation of the turbine foundations;
- BNE shall establish a second long-term noise monitoring location at the property boundary prior to facility installation, to be reviewed and approved by Council staff; and,
- BNE shall incorporate the proposed decommissioning specifications contained within the Town's Post Hearing Brief, dated May 20, 2011.

The motion was seconded by Mr. Golembiewski. The motion passed with Mr. Murphy and Mr. Ashton voting no.

**PETITION NO. 984 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut. Development and Management Plan.**

Mr. Golembiewski moved to approve site clearing of the 14.63 acres identified in BNE's plans and to engage Civil 1 Engineers, Dr. Michael Klemens, and VHB to perform their respective responsibilities. BNE must also hold off on clearing within ACOE Wetland areas until it receives its permit, and must submit their pre-construction survey of town infrastructure within 30 days after the date of the decision letter. The motion was seconded by Dr. Bell. The motion passed with Mr. Ashton voting no.

**Administrative Matters.**

Chairman Stein announced that the next energy/telecommunications meeting is scheduled for Thursday, December 1, 2011.

Other calendar dates are as follows:

- ♦ Tuesday, November 22, 2011, beginning at **1:00 p.m.** – **public hearing** (DO 189a Reopening), Hearing Room One, in New Britain.
- ♦ Thursday, December 1, 2011, beginning at **1:00 p.m.**, energy/telecommunications meeting, in Hearing Room One, Ten Franklin Square, New Britain
- ♦ Tuesday, December 6, 2011, **2:00 p.m.**(field review)/**3:00 p.m./7:00 p.m.**, public hearing for Docket No. 421 (T-Mobile), in the Town Council Chambers, Trumbull Town Hall, 5866 Main Street, Trumbull, Connecticut.
- ♦ Thursday, December 8, 2011, beginning at **1:00 p.m.** – **evidentiary public hearing** continuation for Docket No. 401 (T-Mobile), Hearing Room One, in New Britain.

**Adjournment.**

Mr. Ashton moved to adjourn the meeting, seconded by Mr. Golembiewski. The motion passed unanimously.

Chairman Stein adjourned the meeting at 3:05 p.m.

**Respectfully submitted,**

**Robin Stein**  
**Chairman**

RS/cm